

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUMIT GARG,

Defendant.

CASE NO. CR21-0045-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

Defendant's motion to file an over-length brief (Dkt. No. 83) is DENIED and the overlength motion (Dkt. No. 85) is STRICKEN but may remain under seal. Defendant shall file a revised motion within 6 days but may seek relief from that deadline if resolution of the discovery disputes seems within reach. Upon receipt by the Court of the revised motion, the Clerk shall RE-NOTE the motion to seal (Dkt. No. 84) to match the noting date of the revised motion.

In filing the revised motion, counsel should consider whether he has fully complied with LCrR 12(b)(7)'s meet-and-confer requirement. He indicates he spoke by phone with Government counsel on January 10 and February 11, 2022, but he then sent 36 more discovery requests after which there were only "additional email and phone conferences about discovery." (Dkt. No. 85 at 3.) *But see* LCrR 12(b)(7) ("The certification must list the date, manner, and participants to the

1 conference.”). It is thus unclear whether counsel attempted to resolve all issues raised in the
2 motion via a real-time discussion before presenting them to the Court. It seems he did not do so
3 for at least some issues. (*See* Dkt. No. 85 at 12 (“The defense requested [that the] government
4 identify the emails they will be relying upon . . . and to date the government ***has not***
5 ***responded.***”); *id.* at 14 (“The defense requested this information in a letter of February 23, 2022
6 but the government ***has not responded.***”) (emphases added).) The parties should make a good
7 faith effort to resolve all discovery issues before presenting them to the Court.

8 DATED this 25th day of March 2022.

9 Ravi Subramanian
Clerk of Court

10 s/Sandra Rawski
11 Deputy Clerk
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